

IAP13 Rec'd PCT/PTO 23 JAN 2007

PATENT  
Attorney Docket No.: JHU2050-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Watkins et al. Art Unit: 1643  
Application No.: 10/576,149 Examiner: Not Yet Assigned  
I.A. Filing Date: October 20, 2004 Conf. No.: 5576  
Title: USE OF HEDGEHOG PATHWAY INHIBITORS IN SMALL-CELL  
LUNG CANCER

**Mail Stop PCT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35**  
**U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 mailed December 12, 2006, enclosed are:

1. One (1) copy of the Notification of Missing Requirements under 35 U.S.C. 371 mailed December 12, 2006 (2 pages);
2. One (1) executed Declaration for Patent Application (4 pages);
3. One (1) Power of Attorney by Assignee (2 pages);
4. Statement under 37 CFR § 1.821(f) and (g) (1 page);
5. Verified Statement under 37 CFR § 1.821(f) (1 page);

<b>CERTIFICATION UNDER 37 CFR §1.10</b> "EXPRESS MAIL" Mailing Label Number: <b>EV 841 623 599 US</b> Date of Deposit: <b>January 23, 2007</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
JOSH GIBBS (Name of Person Mailing Paper)	
(Signature)	January 23, 2007 (Date)

In re Application of:

Watkins et al.

Application No.: 10/576,149

I.A. Filing Date: October 20, 2004

Page 2

PATENT

Attorney Docket No.: JHU2050-1

6. One (1) CFR Disk Containing Sequence Listing; and

7. Return Receipt Postcard.

Applicants claim **SMALL ENTITY** status in the above-identified application. Pursuant to 37 C.F.R. § 1.27, a verified statement claiming small entity status is not required.

The filing fee has been calculated as follows.

	Number Filed		Number Extra		Rate			Fee	
					Small Entity	Large Entity		Small Entity	Large Entity
Total Claims	60-20	=	40	X	\$25	\$50	=	[\$1,000.00]	\$ .00
Independent Claims	5-3	=	2	X	\$100	\$200	=	[\$ 200.00]	\$ .00
Multiple Dependent Claims Present: ____ Yes <u>  x  </u> No					\$180	\$360		N/A	N/A
Fee for Each Additional 50 Sheets in Excess of 100 Pages					\$125	\$250		N/A	N/A
					FILING FEE			[\$ 150.00]	\$ 300.00
					SEARCH FEE			[\$ 50.00]	\$ 100.00
					EXAM FEE			[\$ 100.00]	\$ 200.00
					SURCHARGE FEE			[\$ 65.00]	\$ 130.00
					TOTAL FEE			[\$1,565.00]	

In re Application of:

Watkins et al.

Application No.: 10/576,149

I.A. Filing Date: October 20, 2004

Page 3

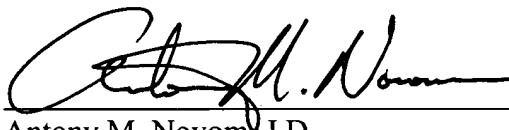
PATENT

Attorney Docket No.: JHU2050-1

No fee is deemed necessary in connection with the filing of this paper. However, if a fee is required, the Commissioner is hereby authorized to charge any other fees associated with the filing submitted herewith, or credit any overpayments to Deposit Account No. 07-1896. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: January 23, 2007



Antony M. Novom, J.D.

Registration No.: 45517

Telephone: (858) 677-1456

Facsimile: (858) 677-1465

**USPTO CUSTOMER NUMBER 28213**

DLA PIPER US LLP

4365 Executive Drive, Suite 1100

San Diego, California 92121-2133

DEC 18 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/576,149	FIRST NAMED APPLICANT David N. Watkins	ATTY. DOCKET NO. JHU2050-1
---	---	-------------------------------

28213  
DLA PIPER US LLP  
4365 EXECUTIVE DRIVE  
SUITE 1100  
SAN DIEGO, CA 92121-2133

INTERNATIONAL APPLICATION NO. PCT/US04/34534	
LA. FILING DATE 10/20/2004	PRIORITY DATE 10/20/2003

CONFIRMATION NO. 5576  
371 FORMALITIES LETTER



\*OC000000021554709\*

Date Mailed: 12/12/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/12/2006
- Copy of the International Search Report filed on 04/12/2006
- Preliminary Amendments filed on 04/12/2006
- Oath or Declaration filed on 04/12/2006
- Biochemical Sequence Listing filed on 04/12/2006
- Request for Immediate Examination filed on 04/12/2006
- U.S. Basic National Fees filed on 04/12/2006
- Specification filed on 04/12/2006
- Claims filed on 04/12/2006
- Abstracts filed on 04/12/2006
- Drawings filed on 04/12/2006

PATENT DOCKETING

DEC 18 2006

DLA PIPER

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8,

2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/576,149	PCT/US04/34534	JHU2050-1